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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/319,202	06/02/1999	OSAMU SHIRASAKI	20-4576P	2596

2292 7590 06/09/2003

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EXAMINER

GOFF II, JOHN L

ART UNIT	PAPER NUMBER
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1733

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DATE MAILED: 06/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

mk-17

Office Action Summary

Application No.

09/319,202

Applicant(s)

SHIRASAKI ET AL.

Examiner

John L. Goff

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 15.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to Amendment D filed on 3/31/03. All previous objections to the specification have been overcome. The previous 35 U.S.C. 103 rejection over the Japanese IND KK reference in view of any one of Vogdes et al. or Davis et al. or the Nitto reference is withdrawn in view of applicant's arguments.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being (clearly) anticipated by the Japanese Nitto reference (already of record).

The Nitto reference discloses that it is known to melt/fusion bond two fluoropolymer (e.g. PTFE, PFA, FEP, EPE COPOLYMER etc. and compare with applicants specification at page 4 line 21 thru page 5 line 10) parts/substrates together via a process wherein a heat SHRINKABLE outer tubular part is placed over/around a second (apparently NON or LESS SHRINKABLE i.e. DIFFERENT shrinkages) inner tubular part, bonding being effected by a combination of the heat shrinking force applied by the outer part and the hot melt characteristics of both parts. (English Translation Abstract and, in the translation provided: Fig. 1, page 3 last two lines, page 4 lines 3-4, 8-9, 13-17, 22-25 (especially) and 31-32, page 5 lines 10-13, 20-23, 28-29, and 32-33, page lines 1-2, 8-10 and 27-31).

Response to Arguments

4. Applicant's arguments filed 3/31/03 have been fully considered but they are not persuasive. Applicant argues Nitto teaches that in bonding "fluorine-containing resin powder (5) having thermal fusing property is applied to the outer peripheral surface of the end portion of said small-diameter tubular bodies (1)." It is noted the claims do not exclude fusion material between the tubular bodies. Furthermore, the fusion material is optional. Nitto teaches the fusion material is used to improve the bonding strength between the tubular bodies, i.e. the tubular bodies would bond without the fusion material (Page 5, lines 20-23). Applicant further argues Nitto teaches tubular bodies that already sintered. It is noted the tubular bodies taught by Nitto are not already sintered. Nitto merely provides an application example wherein the thermal shrinkage rates of the materials to be used are disclosed. Nitto does not suggest they are already sintered. Furthermore, Nitto teaches a step of sintering the tubular bodies to form the bonded article that is performed after the tubular bodies are contacted (Page 6, lines 24-31 and page 7, lines 8-9).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

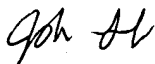
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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John L. Goff** whose telephone number is **703-305-7481**. The examiner can normally be reached on M-Th (8 - 5) and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Ball can be reached on 703-308-2058. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



John L. Goff
June 3, 2003



SAM CHUAN YAO
PRIMARY EXAMINER